

**DECISION**

**THE COMPTROLLER GENERAL  
OF THE UNITED STATES**  
WASHINGTON, D.C. 20548

**FILE:** B-217023

**DATE:** November 26, 1984

**MATTER OF:** Novak Co., Inc.

**DIGEST:**

Protest filed with GAO more than 10 working days after protester learns of basis for protest is untimely.

Novak Co., Inc. protests the rejection of its bid as nonresponsive under Department of Justice solicitation No. JDJMD-84-B-0061. Novak contends that its bid was responsive.

By letter dated September 29, 1984, Novak was notified that its bid had been rejected and the reasons therefor. Novak filed its protest with our Office by letter of October 29, 1984, which we received on November 2. Under our Bid Protest Procedures, a protest must be filed (received in our Office) not later than 10 working days after the basis of protest is known or should have been known. 4 C.F.R. § 21.2(b)(2) (1984). The protest filed here on November 2 obviously does not meet that requirement. Therefore, it is untimely and not for consideration on the merits. See Bonvicini Building Co., B-209004, Oct. 8, 1982, 82-2 CPD ¶ 322.

The protest is dismissed.

*Harry R. Van Cleve*  
Harry R. Van Cleve  
General Counsel

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